



Digital Zoning Project

(Dead Sea Scrolls Replacement Project)

Goal of the Project

- Replace County's old (up to 50 years) paper zoning maps with digital map
- Make digital zoning maps available online for public use
- Confirm existing zoning for all parcels in the County of Maui
- Taking one island at a time – Maui first.

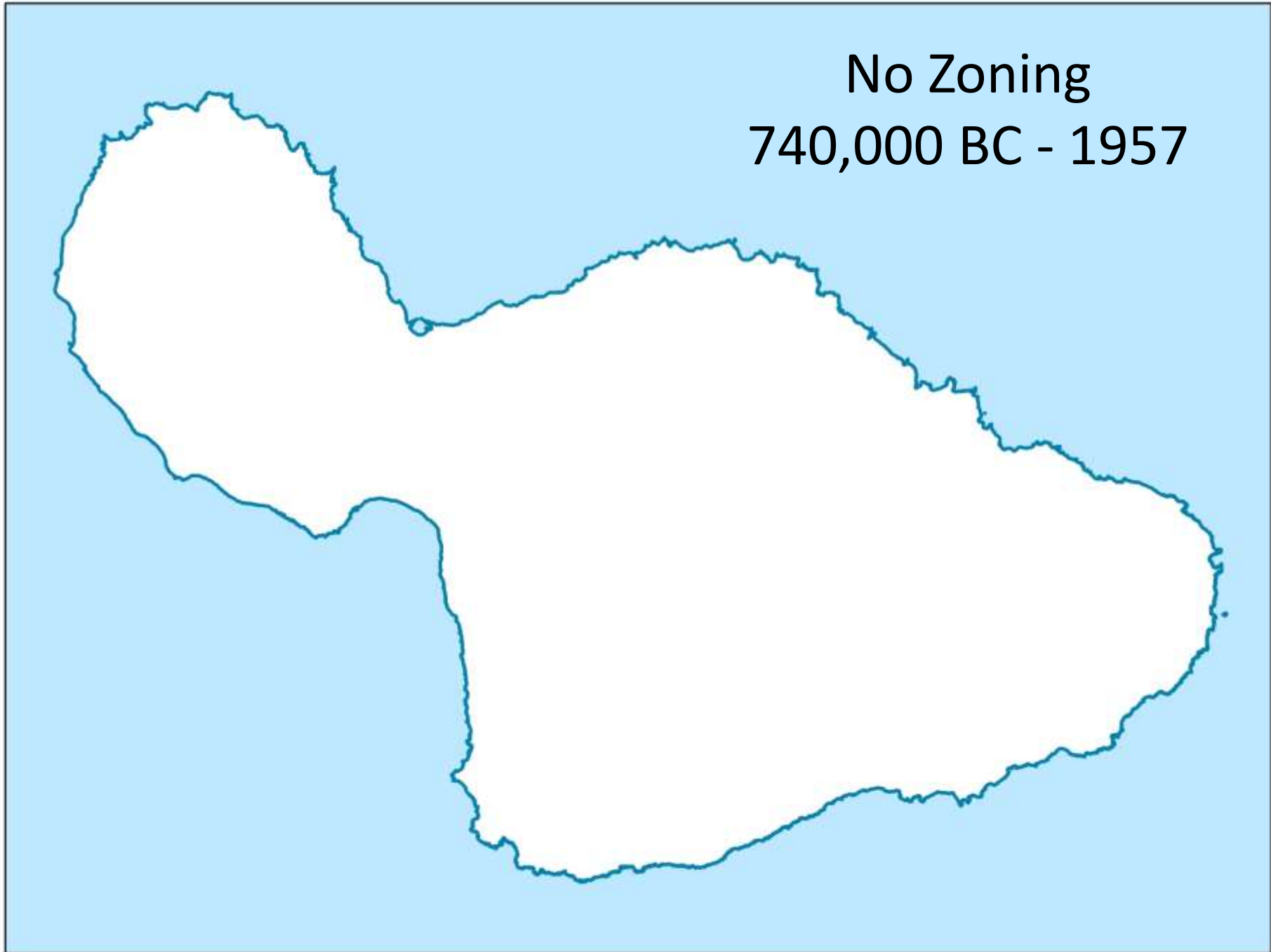
What is Zoning?

- Determines how property may be used and where structures may be placed
- Promotes orderly pattern of development
- Separates incompatible land uses
- Zoning is the first thing land owners must be aware of before developing their property

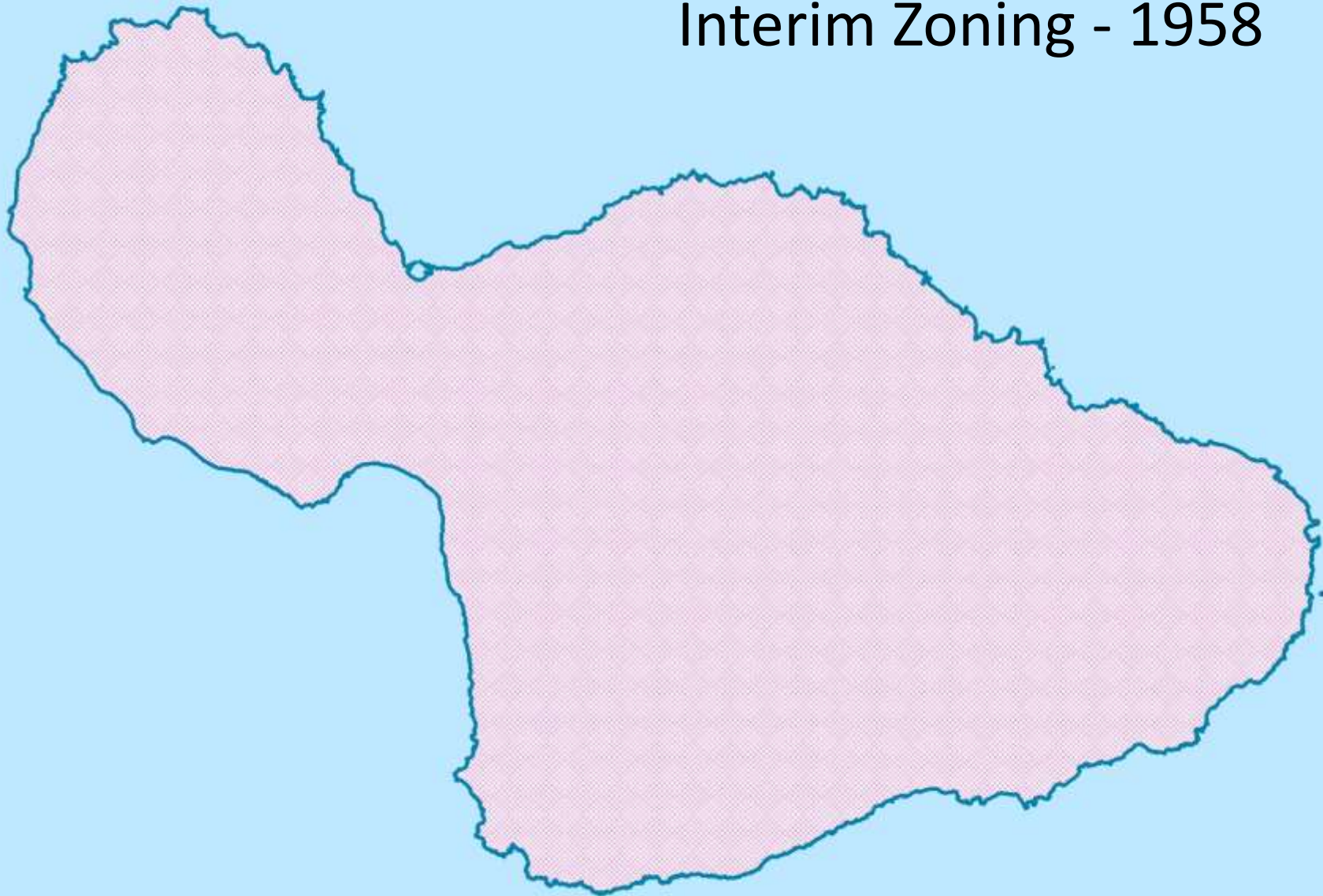
How is property in Maui County zoned?

- Comprehensive Zoning Maps
- Individual Changes in Zoning
- Comprehensive Ordinances

No Zoning
740,000 BC - 1957

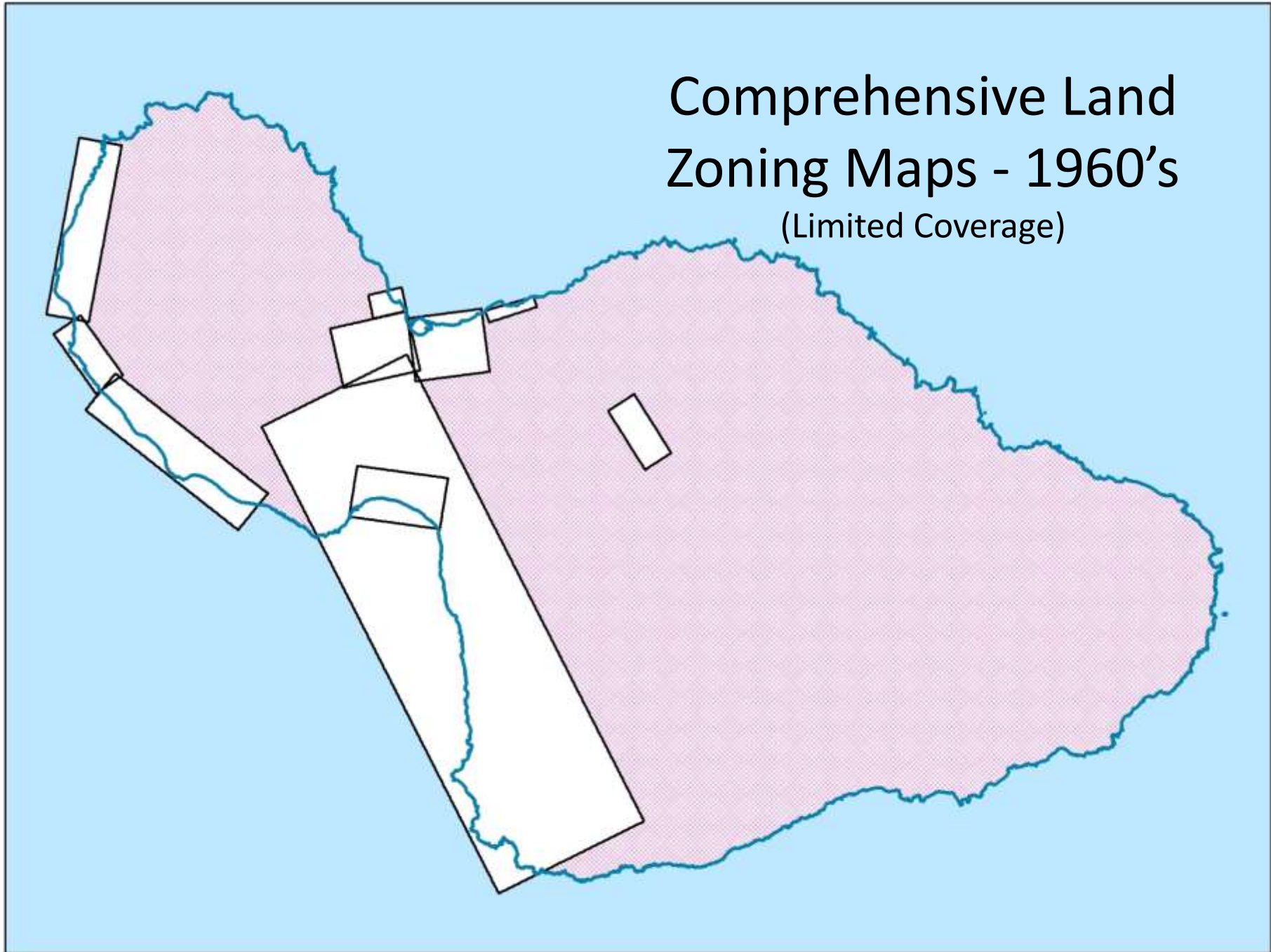


Interim Zoning - 1958

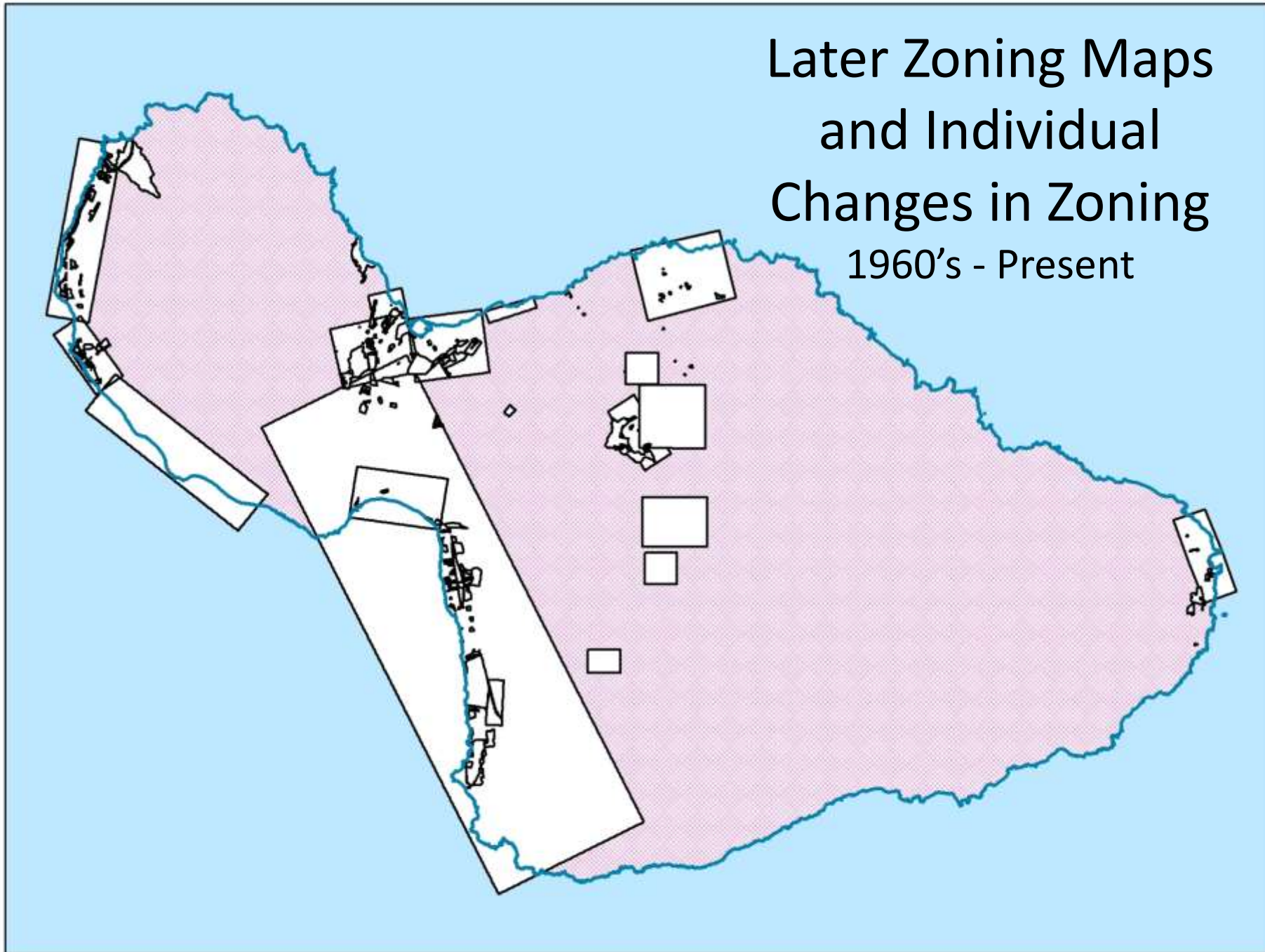


Comprehensive Land Zoning Maps - 1960's

(Limited Coverage)

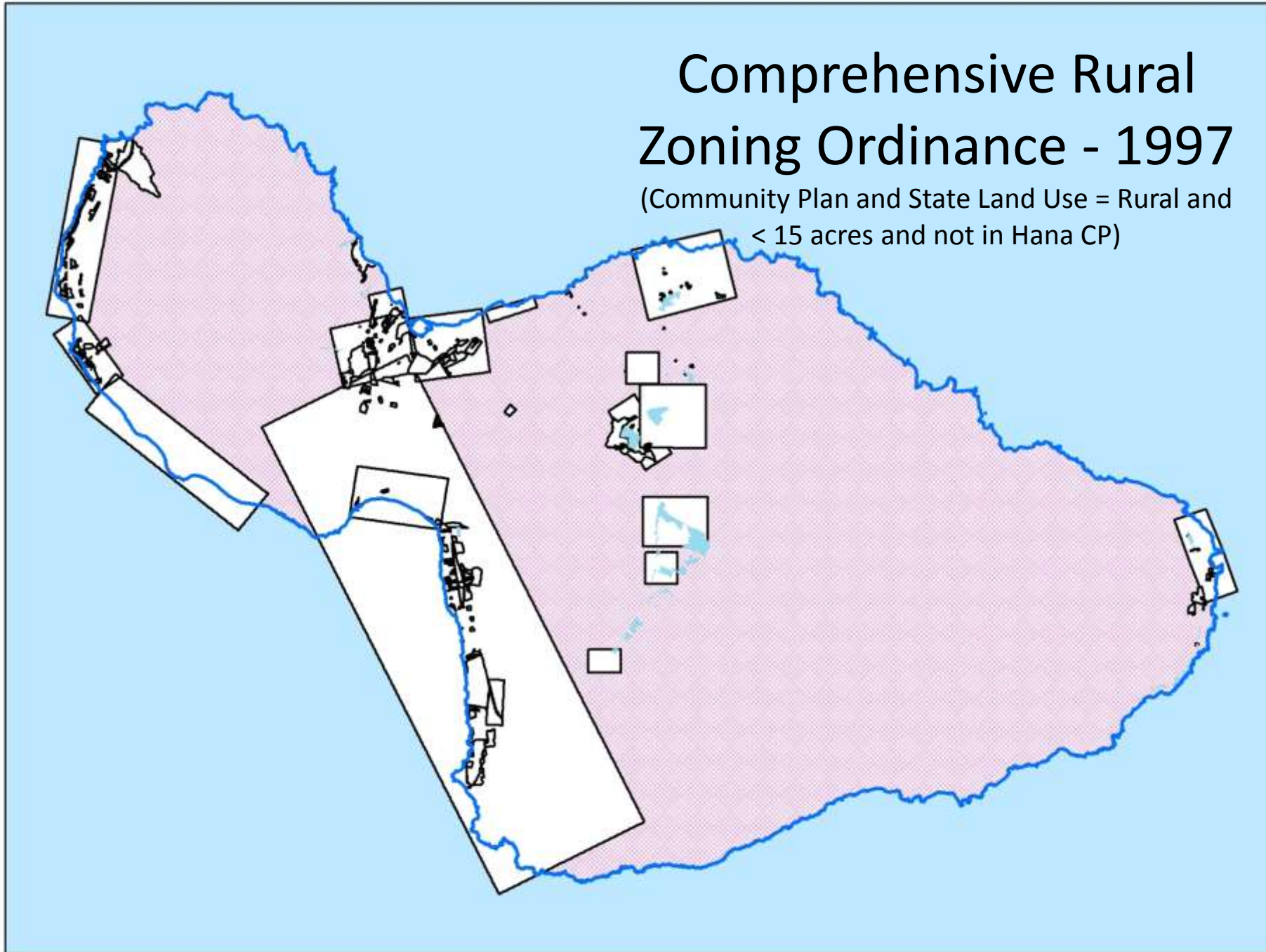


Later Zoning Maps and Individual Changes in Zoning 1960's - Present



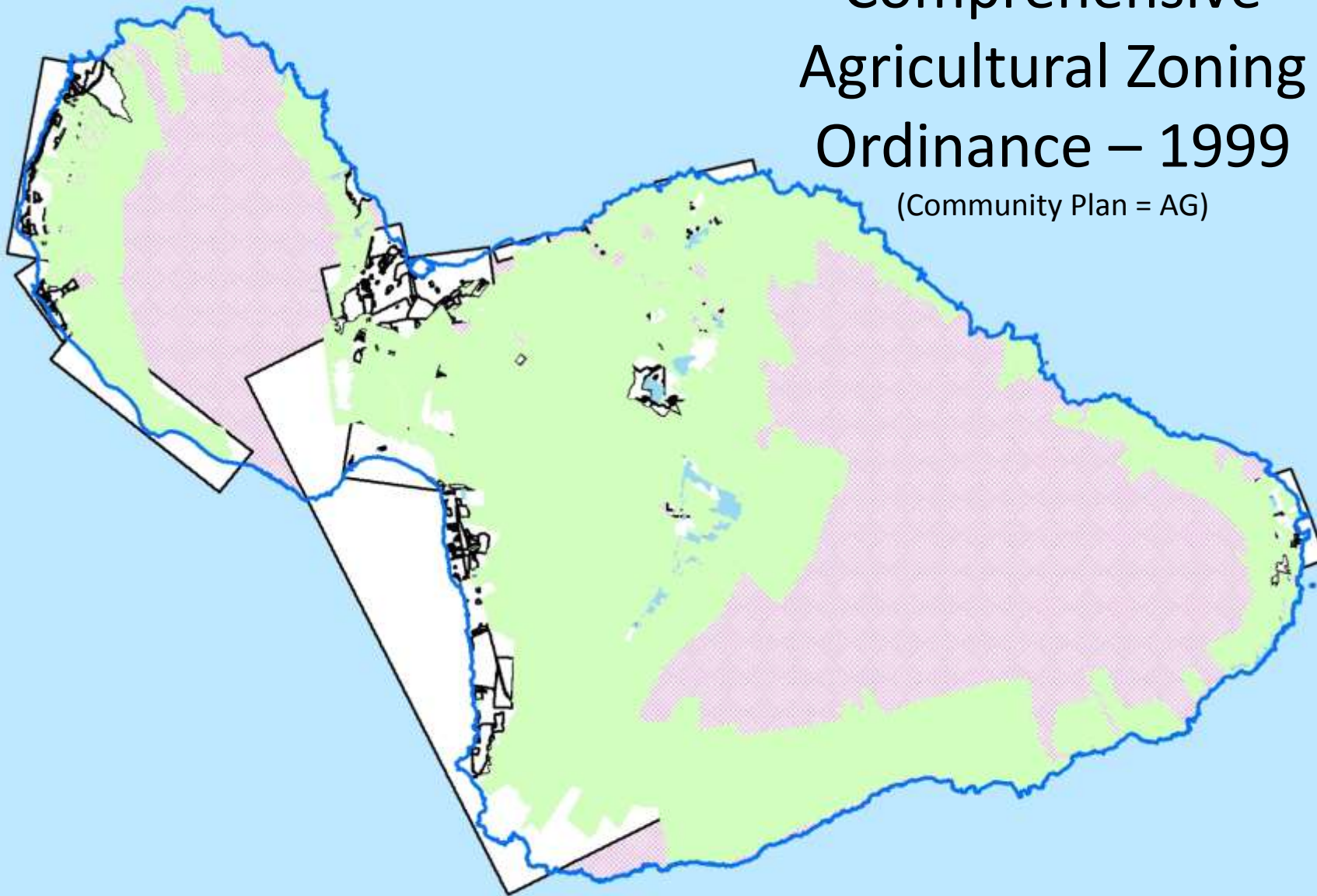
Comprehensive Rural Zoning Ordinance - 1997

(Community Plan and State Land Use = Rural and
< 15 acres and not in Hana CP)

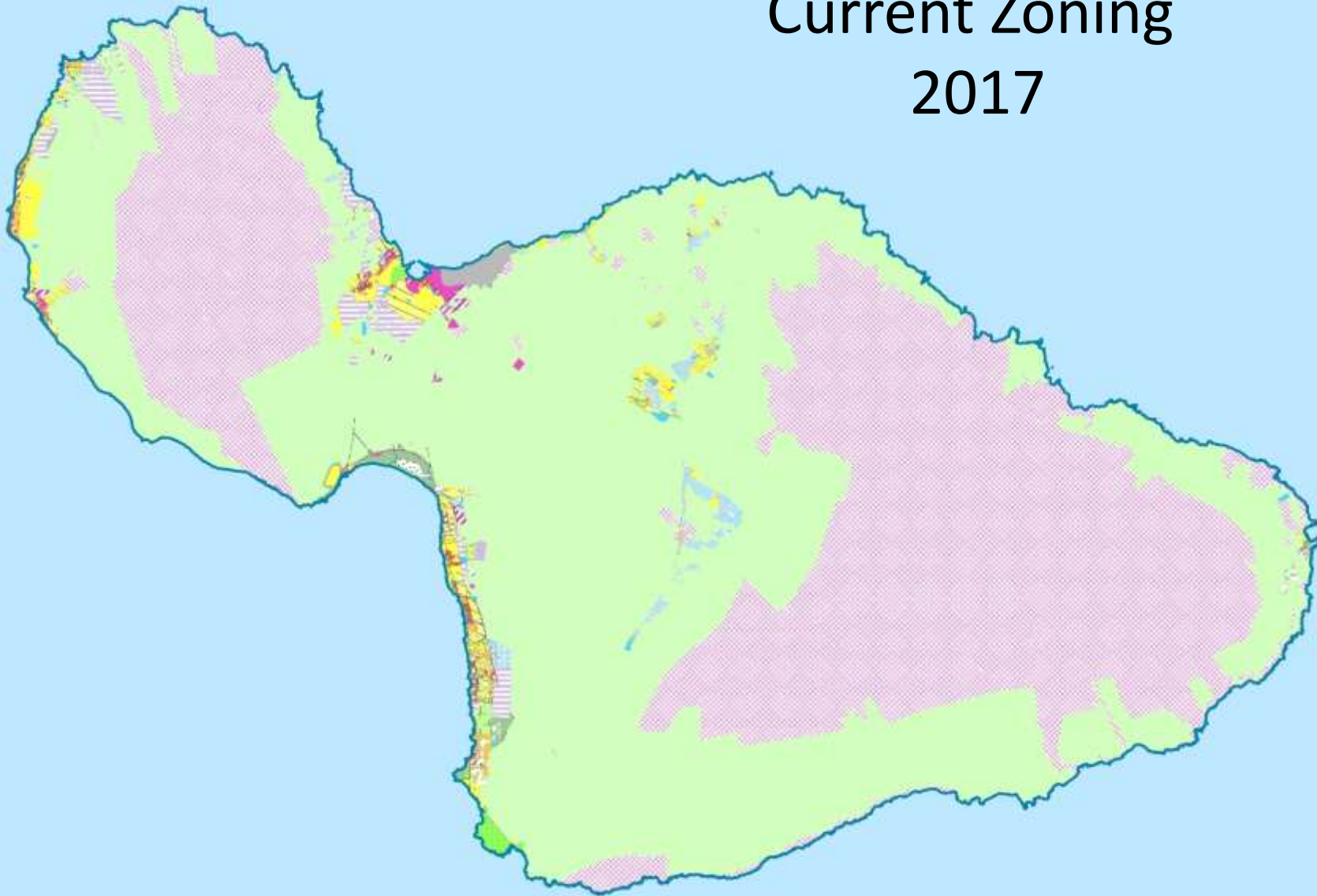


Comprehensive Agricultural Zoning Ordinance – 1999

(Community Plan = AG)



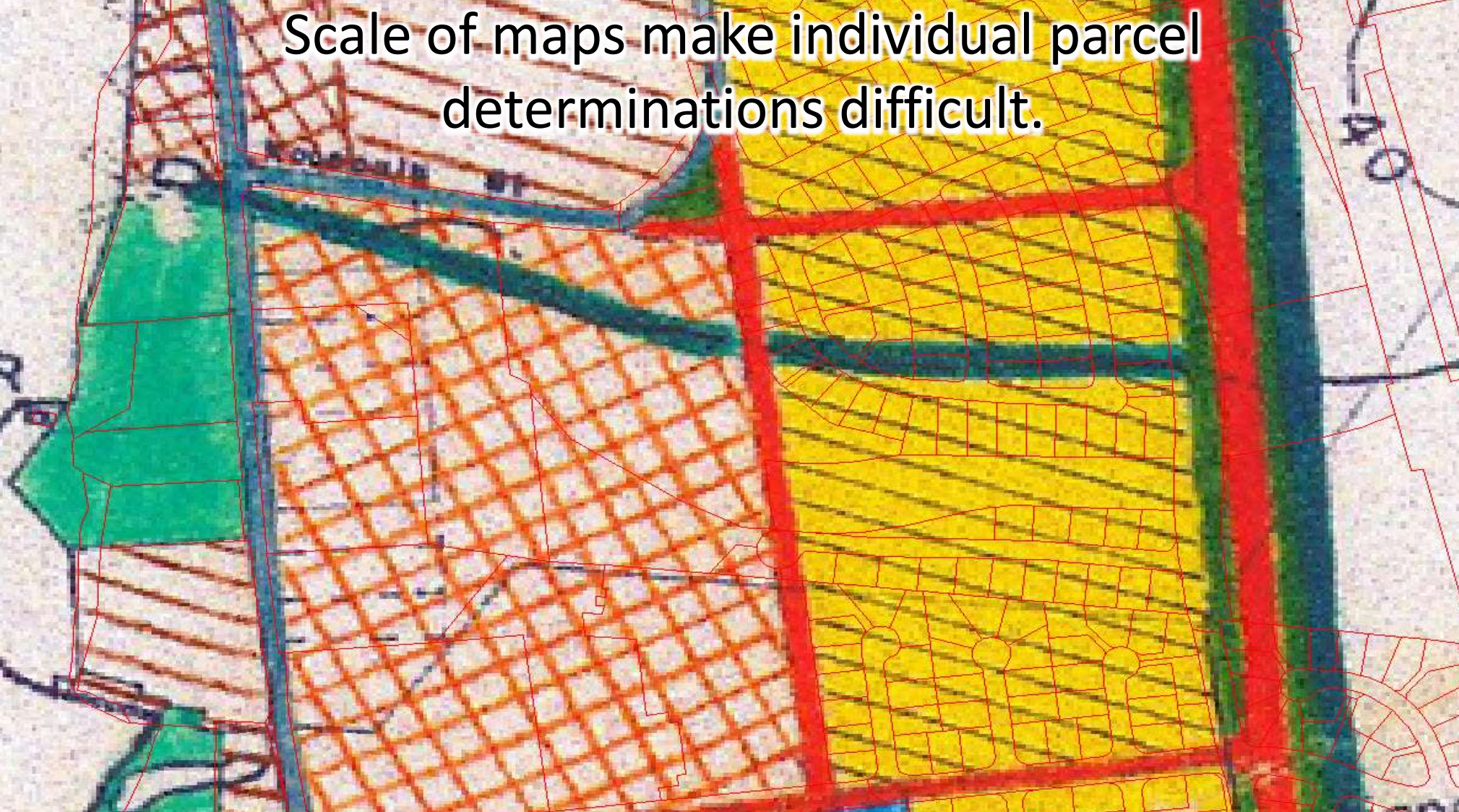
Current Zoning 2017



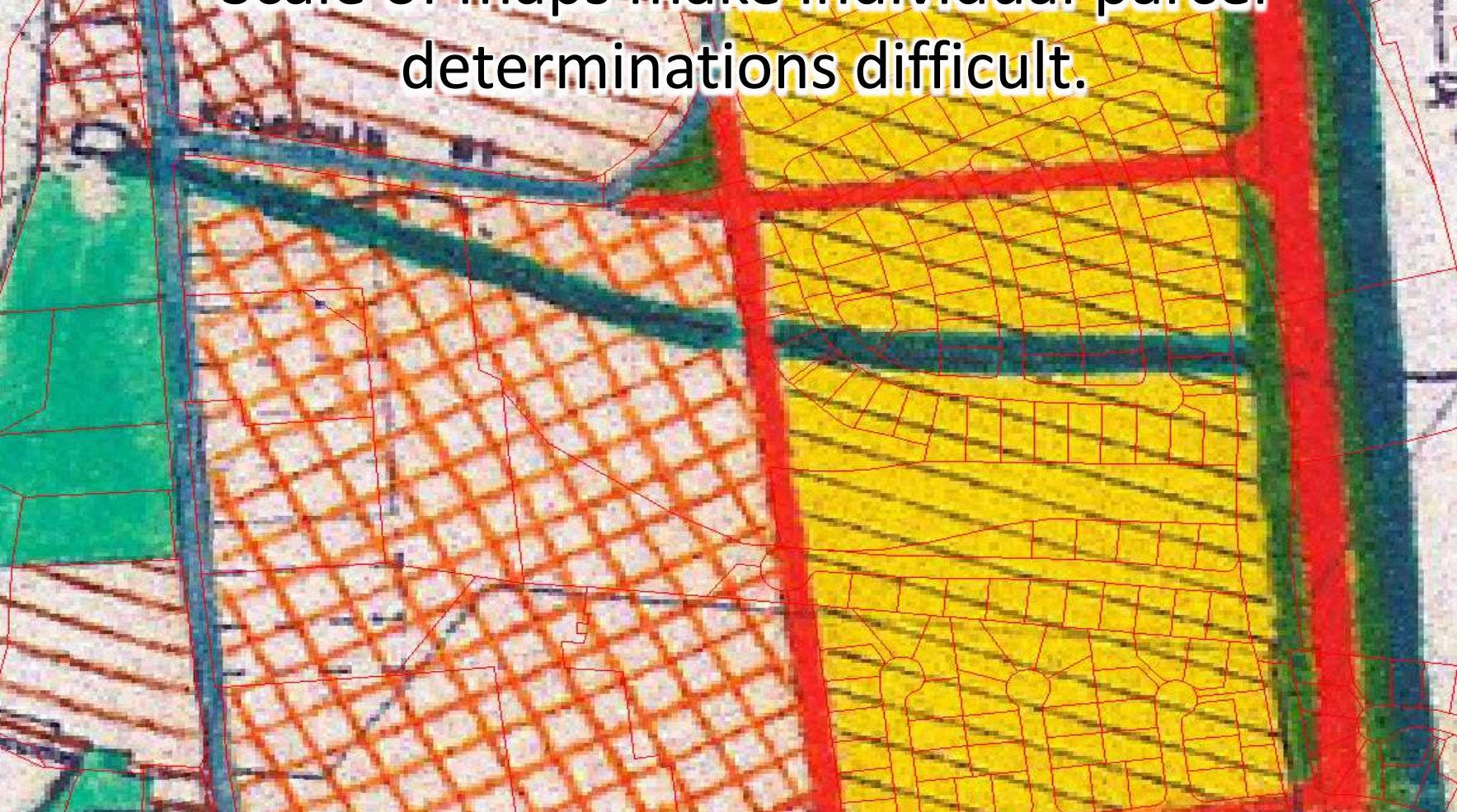
What were the challenges to accomplish the goals of the project?

- Age and lack of detail of original maps
- Poor quality of maps (worn out, falling apart)
- No single complete set of maps for the island. Zoning is a patchwork of State Interim ordinance, original 1960's Land Zoning Maps for urban areas, County Agricultural and Rural zoning ordinances and individual zoning changes.

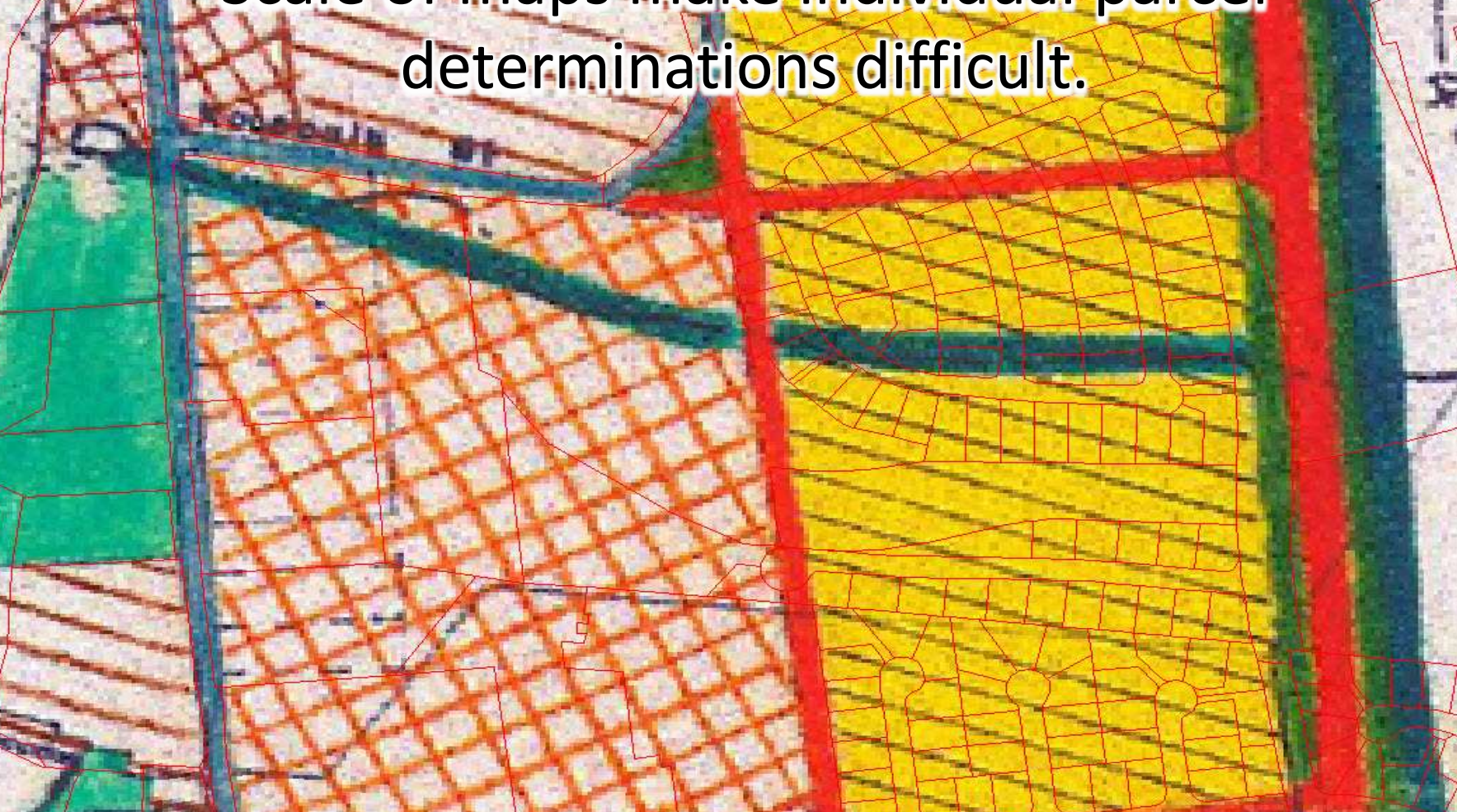
Scale of maps make individual parcel determinations difficult.



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Legacy zonings still on maps, and
do not match actual development.

Homes in "Proposed Road" zoning

Homes in "Drainage" Zoning



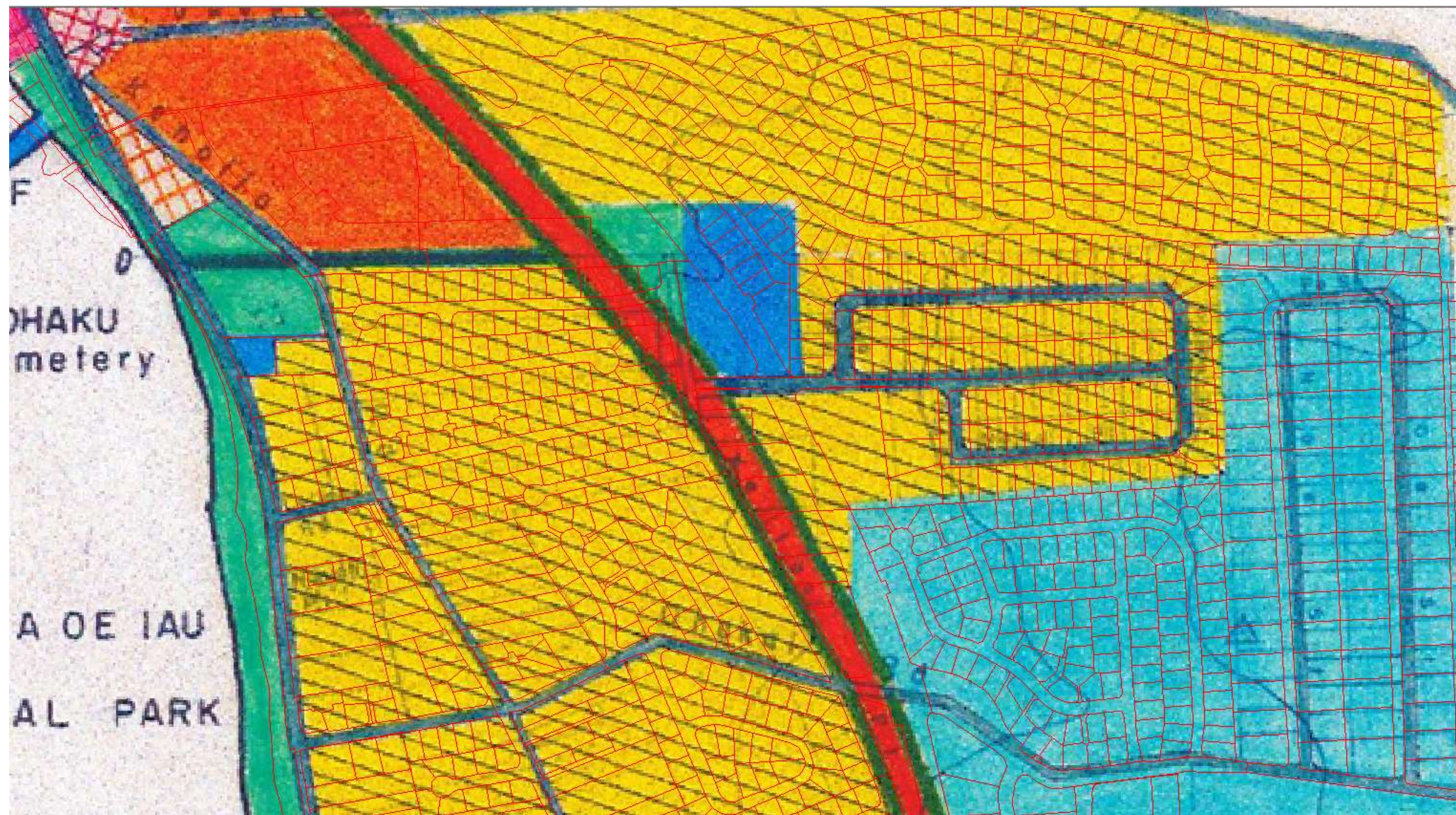
Project Benefits

- Confirm zoning accurately and efficiently
- Greater public access to accurate zoning information
- Reduced zoning determinations by Department staff
(Between FY 2013 and FY 2016 we processed 21,457 Zoning Verification forms)
- Improved coordination between government agencies
- Will be a key foundation for the upcoming County Online Permitting Process

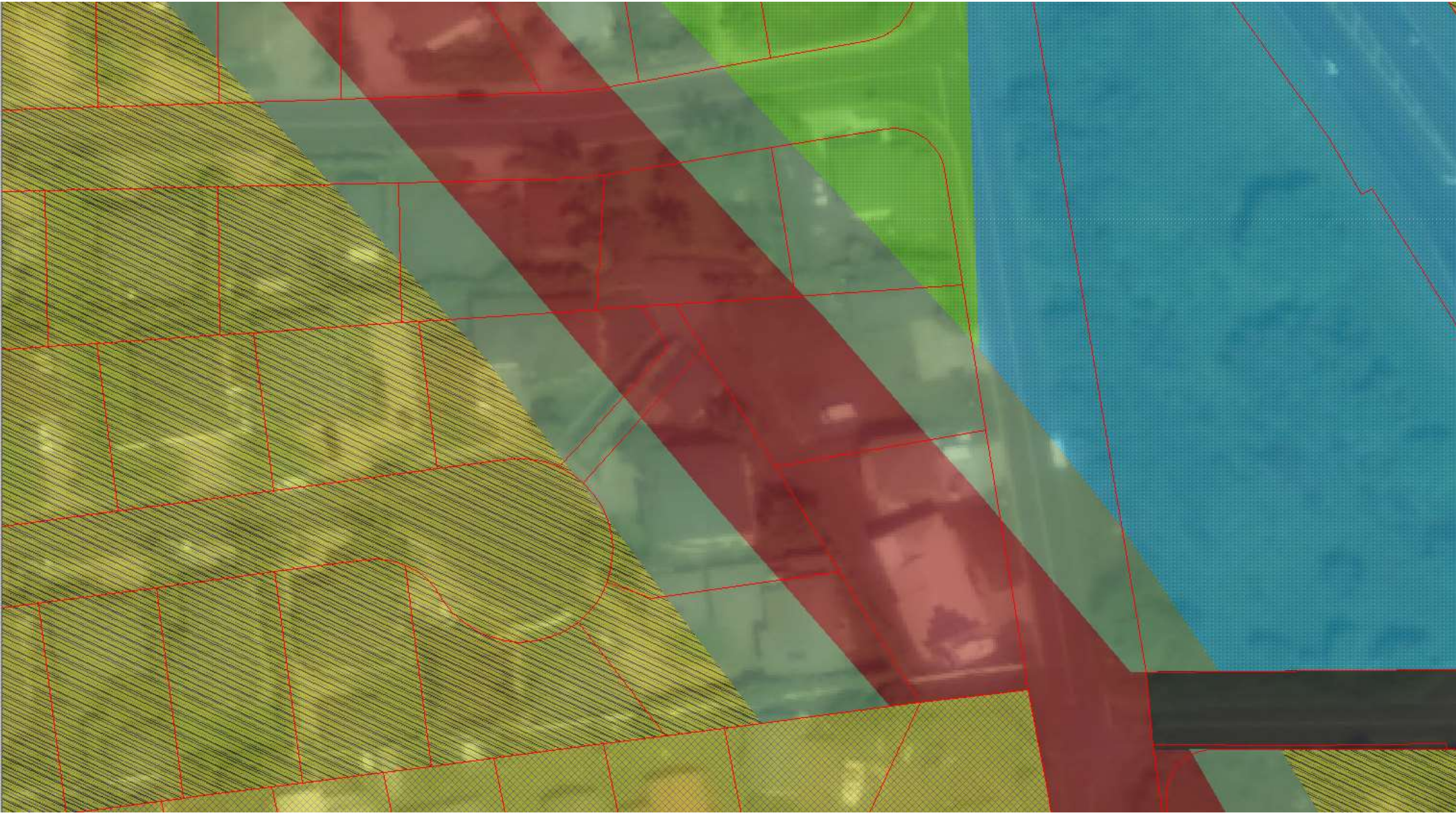
Examples of Current Zoning Map Issues to be Addressed

North Kihei



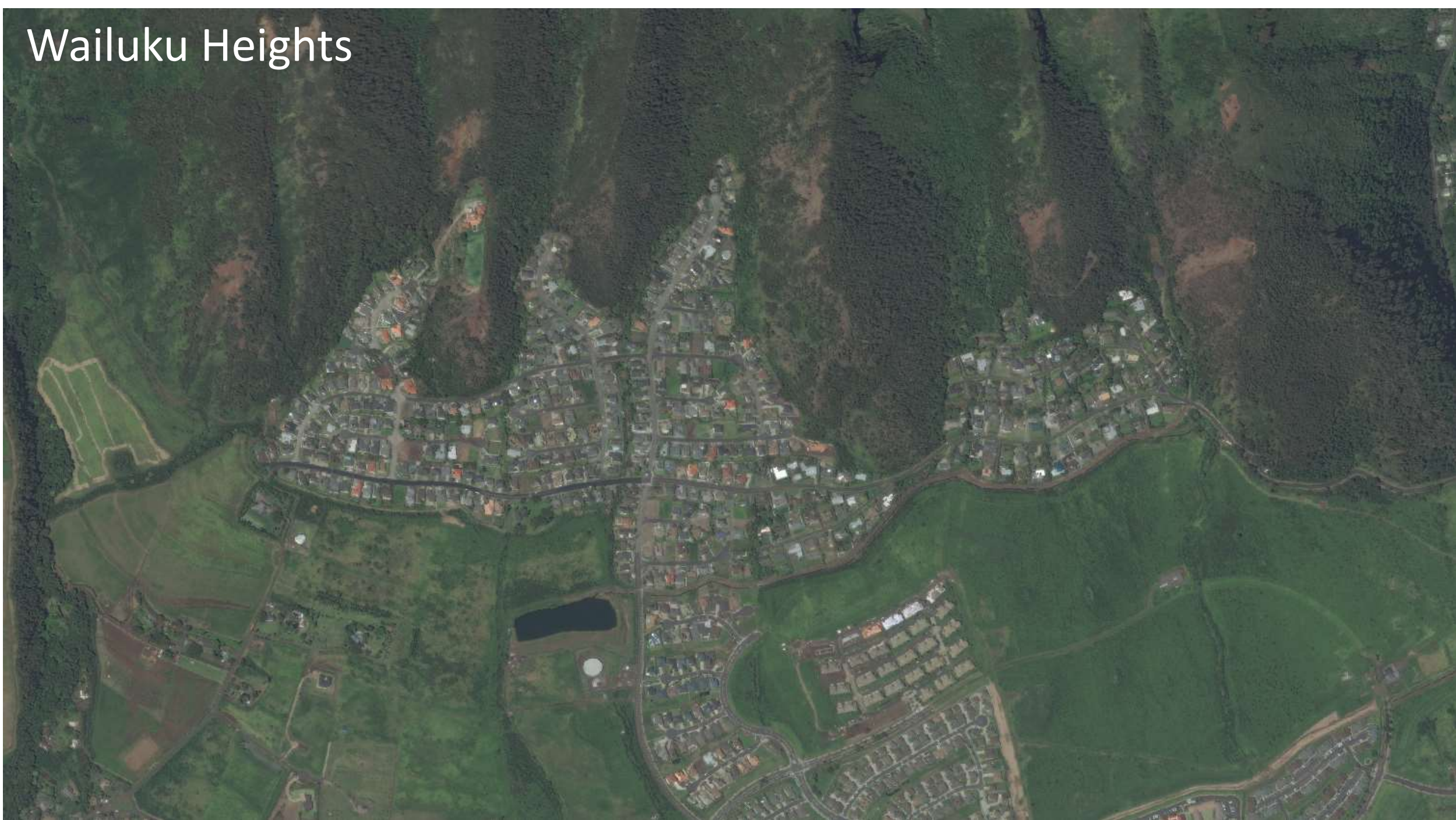




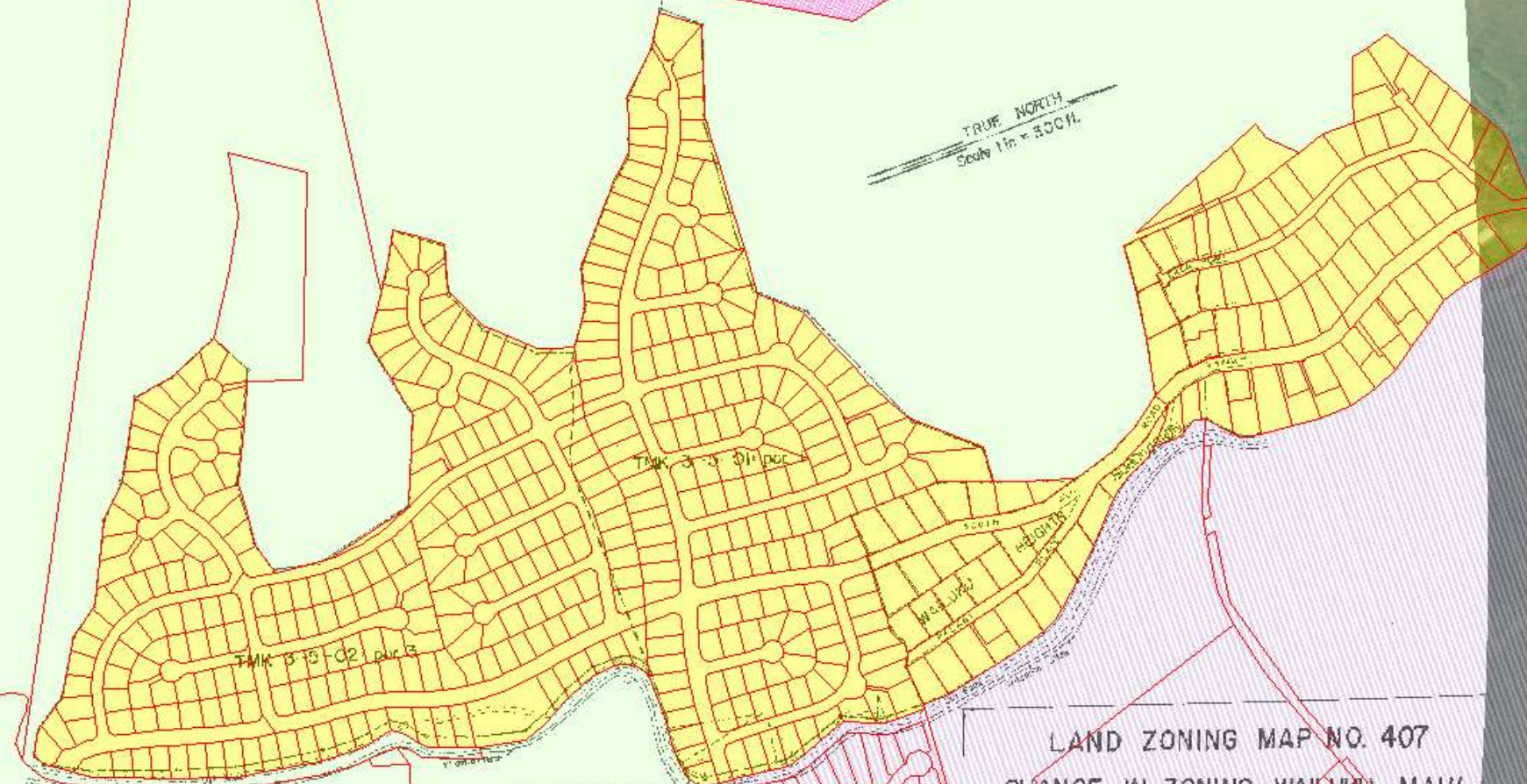




Wailuku Heights



TRUE NORTH
Scale 1 in. = 300 ft.



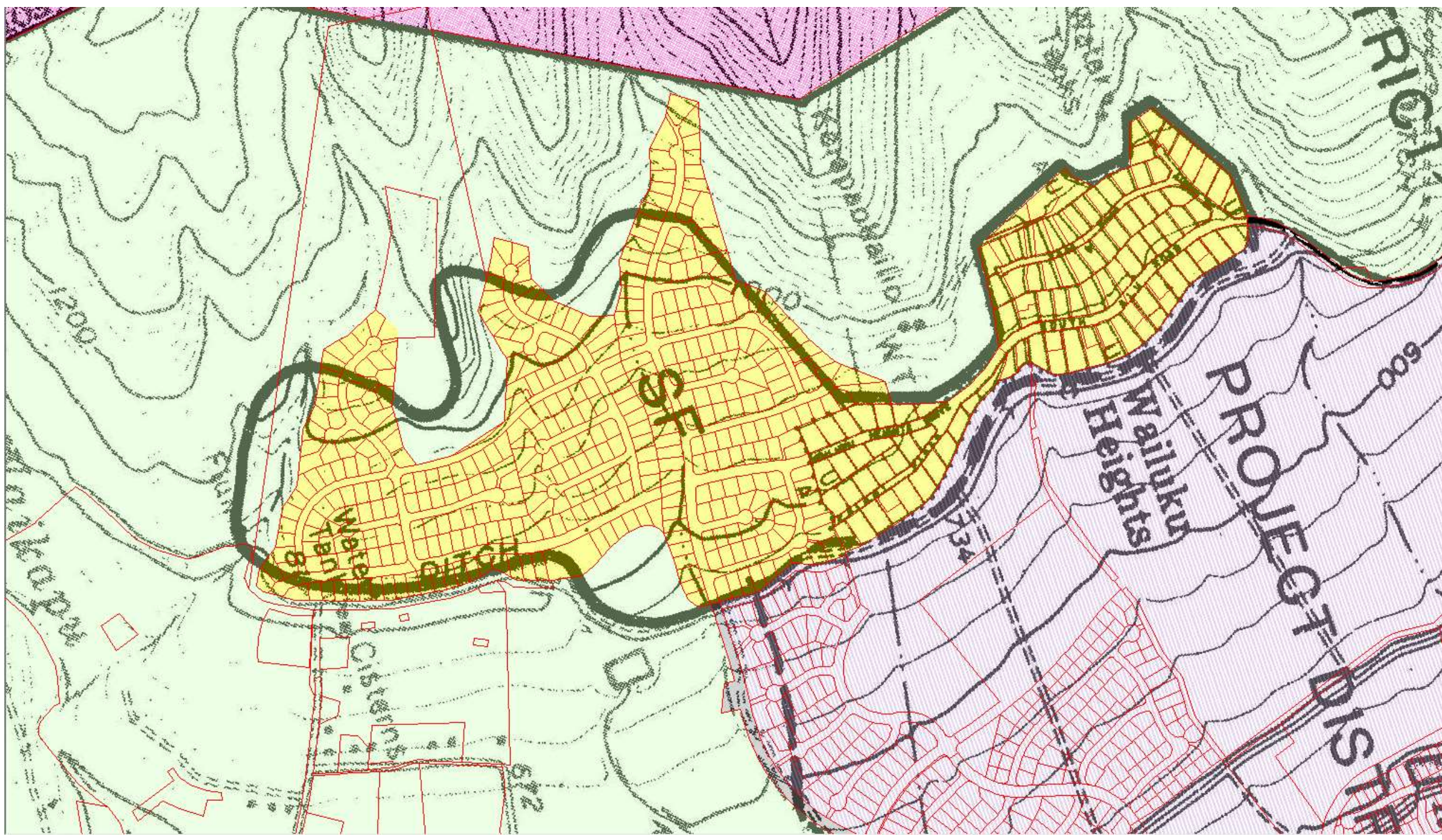
LAND ZONING MAP NO. 407
CHANGE IN ZONING-WAILUKU, MAUI
FROM COUNTY AGRICULTURE
TO R-3 RESIDENTIAL

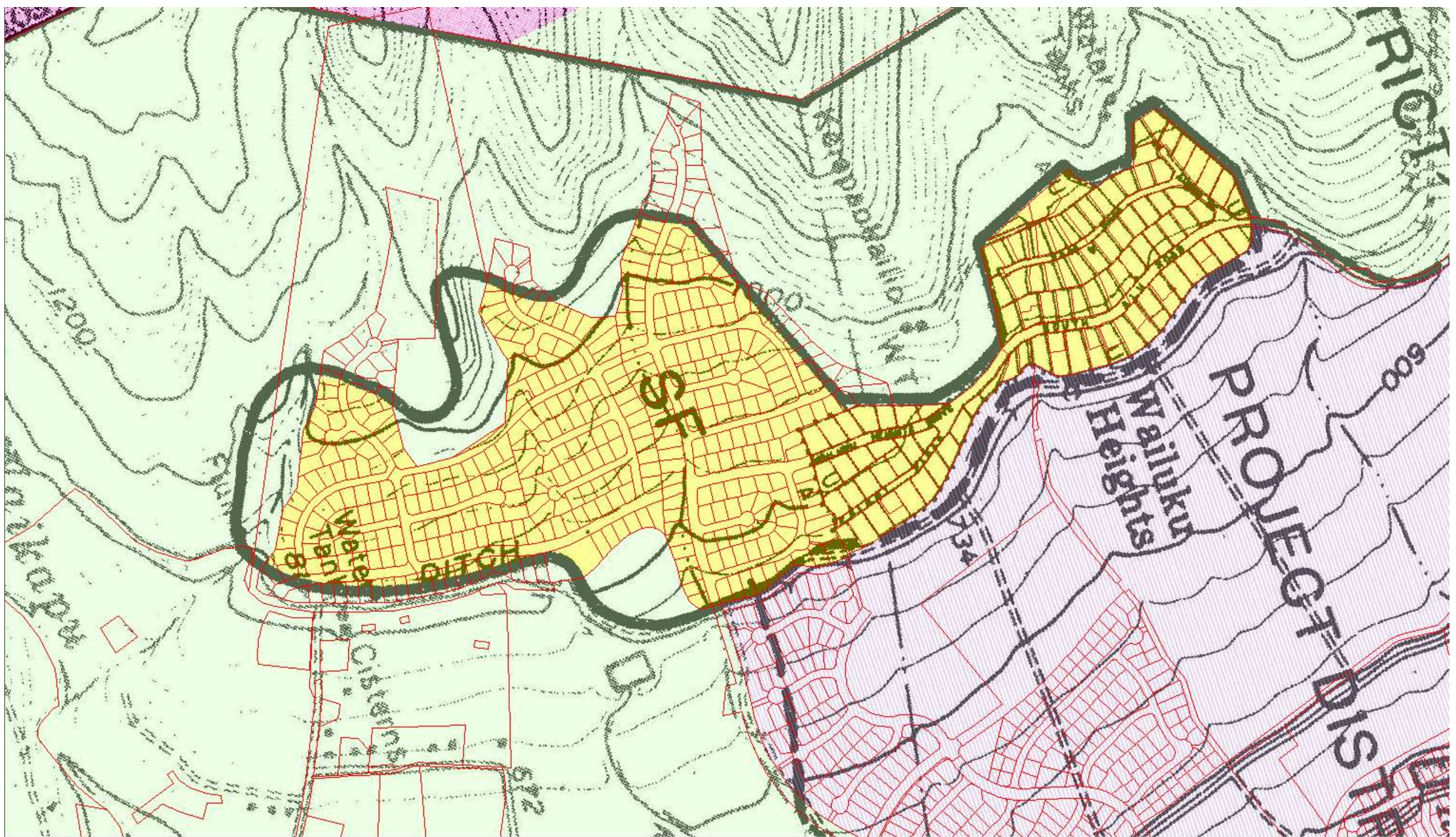
APPROVED: _____
COUNTY CLERK _____
APPROVED: _____
DIRECTOR OF PLANNING _____
DATE: 8/24/77

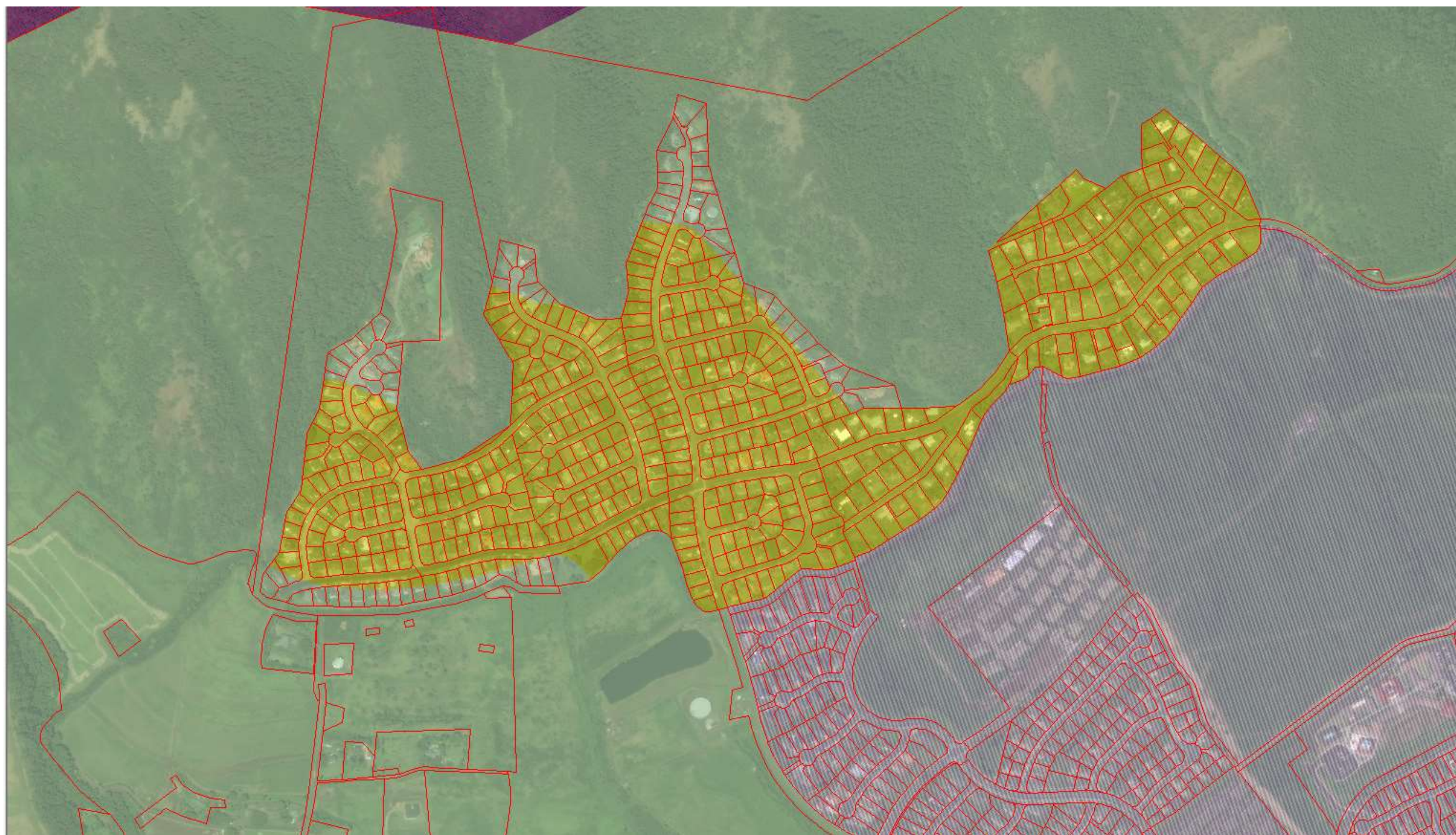
PUBLIC HEARING: 7/26/77
FINAL HEARING: 8/1/77
EFFECTIVE DATE: 8/1/77
ORDINANCE NO. _____
DATE BY CITY COUNCIL: 8/1/77

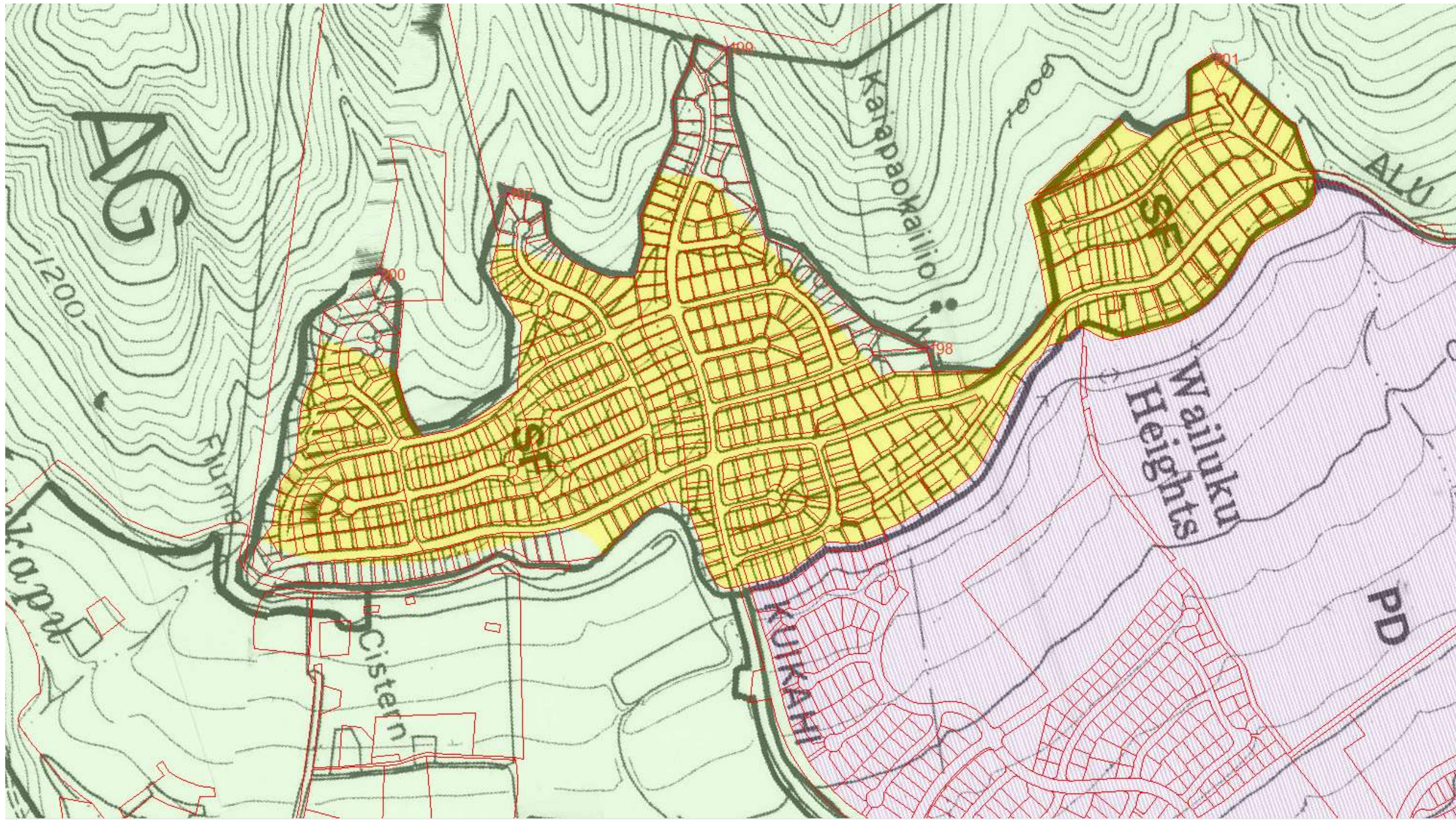
DEPARTMENT OF PLANNING
200 SO. HIGH ST. WAILUKU, MAUI, HAWAII 96793

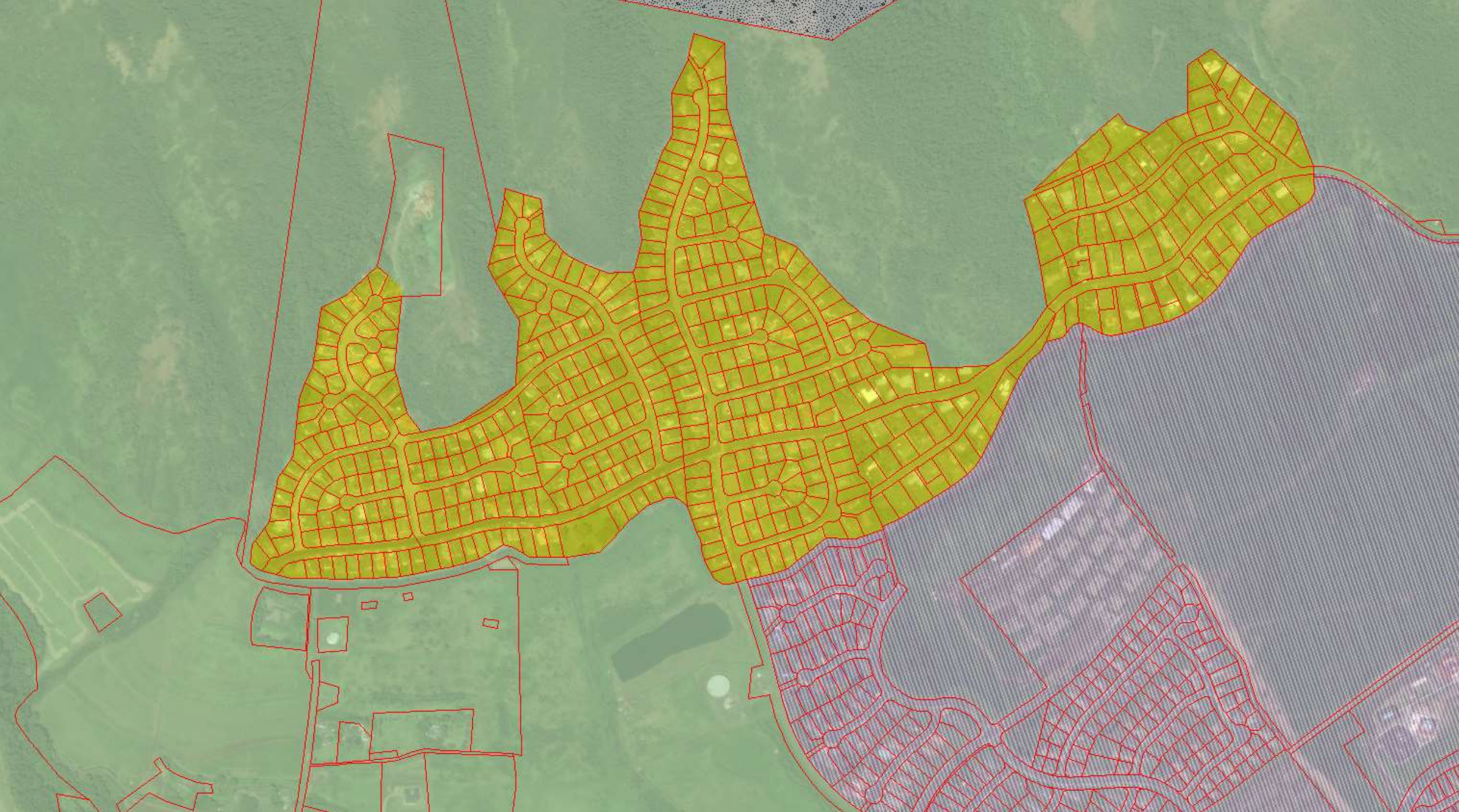
TAX MAP KEY	AREA
3-5-01 par 1	5.1721 Ac.
3-5-02 par 3	40.75 Ac.
TOTAL	4.896 Ac.





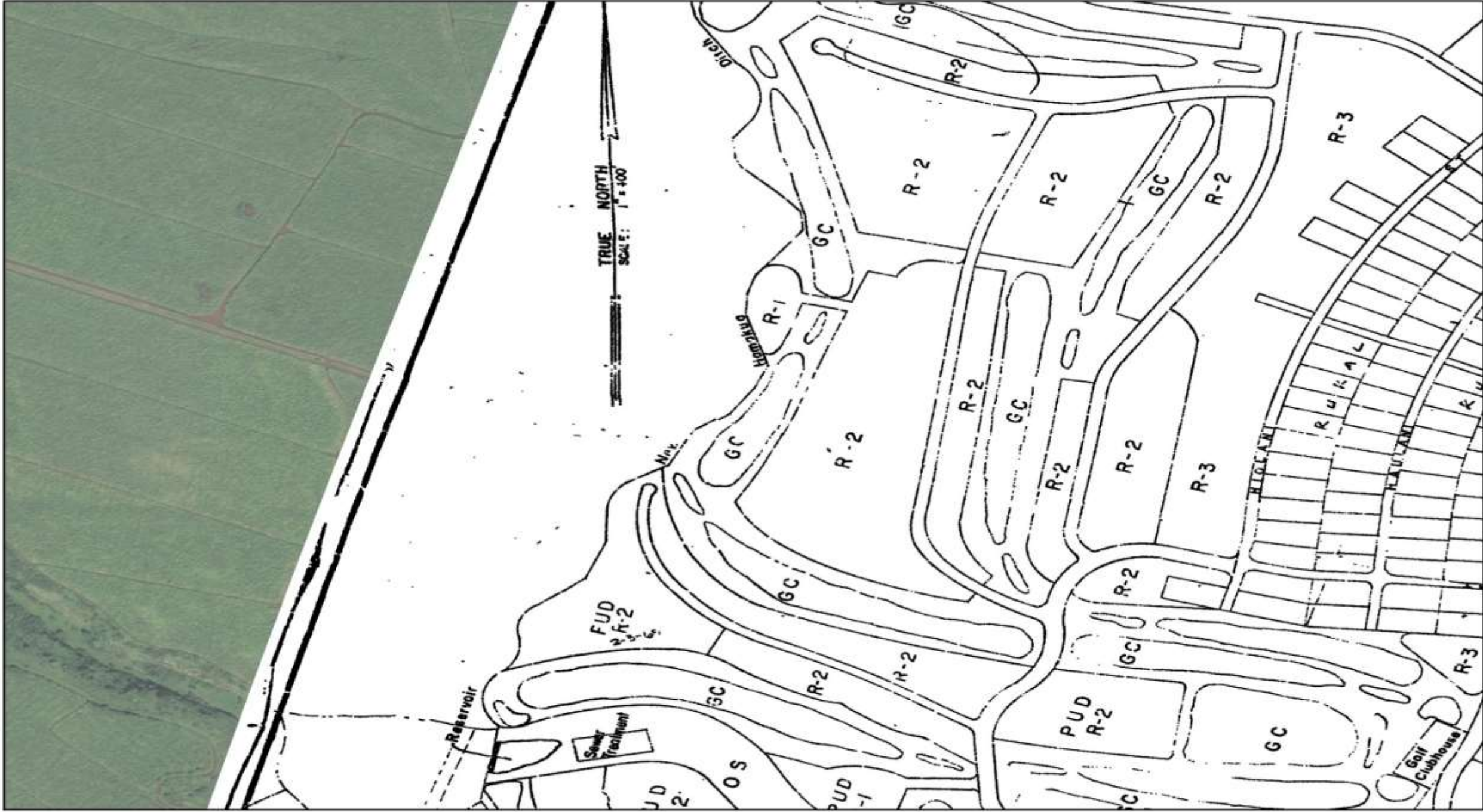






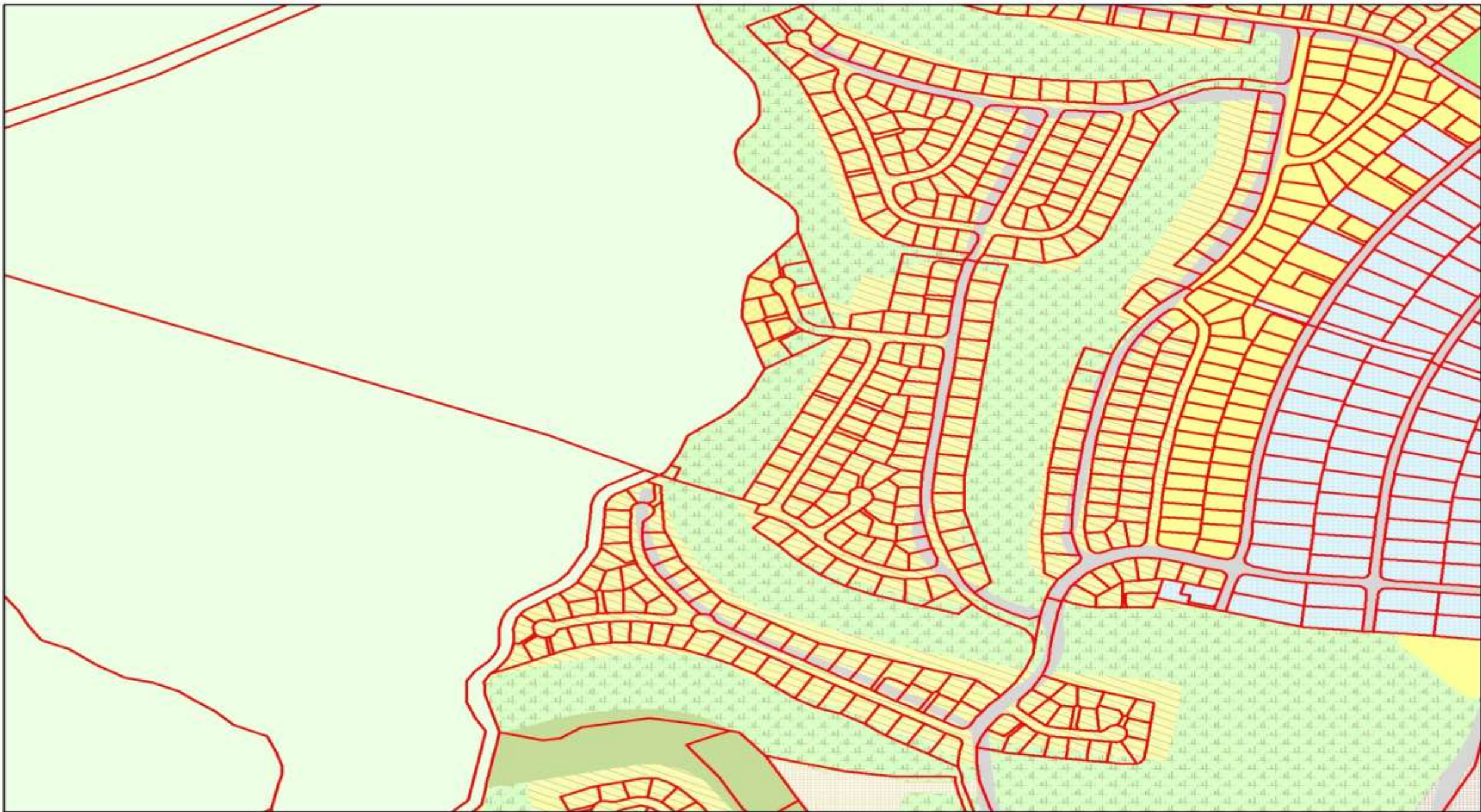
Pukalani Golf Course



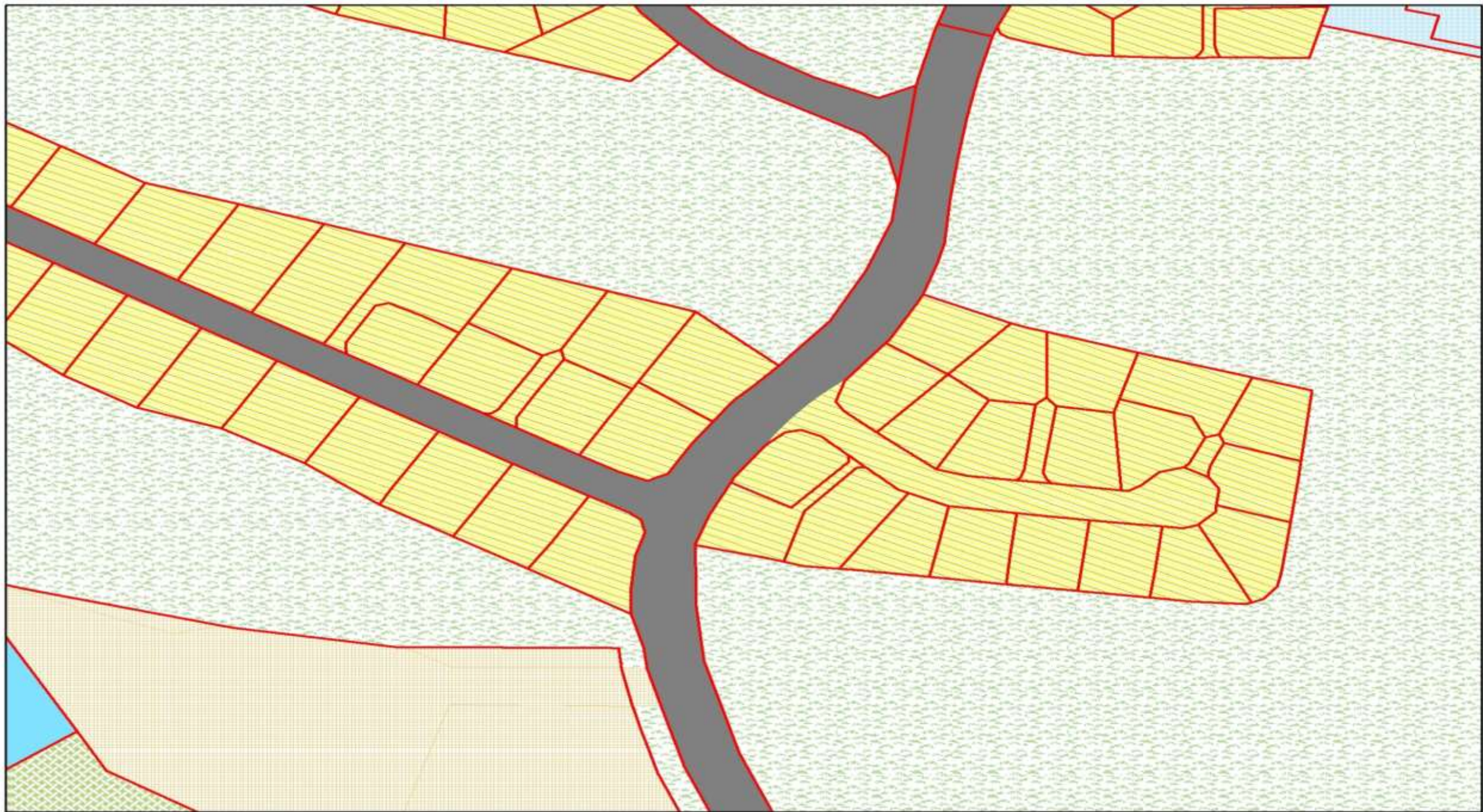


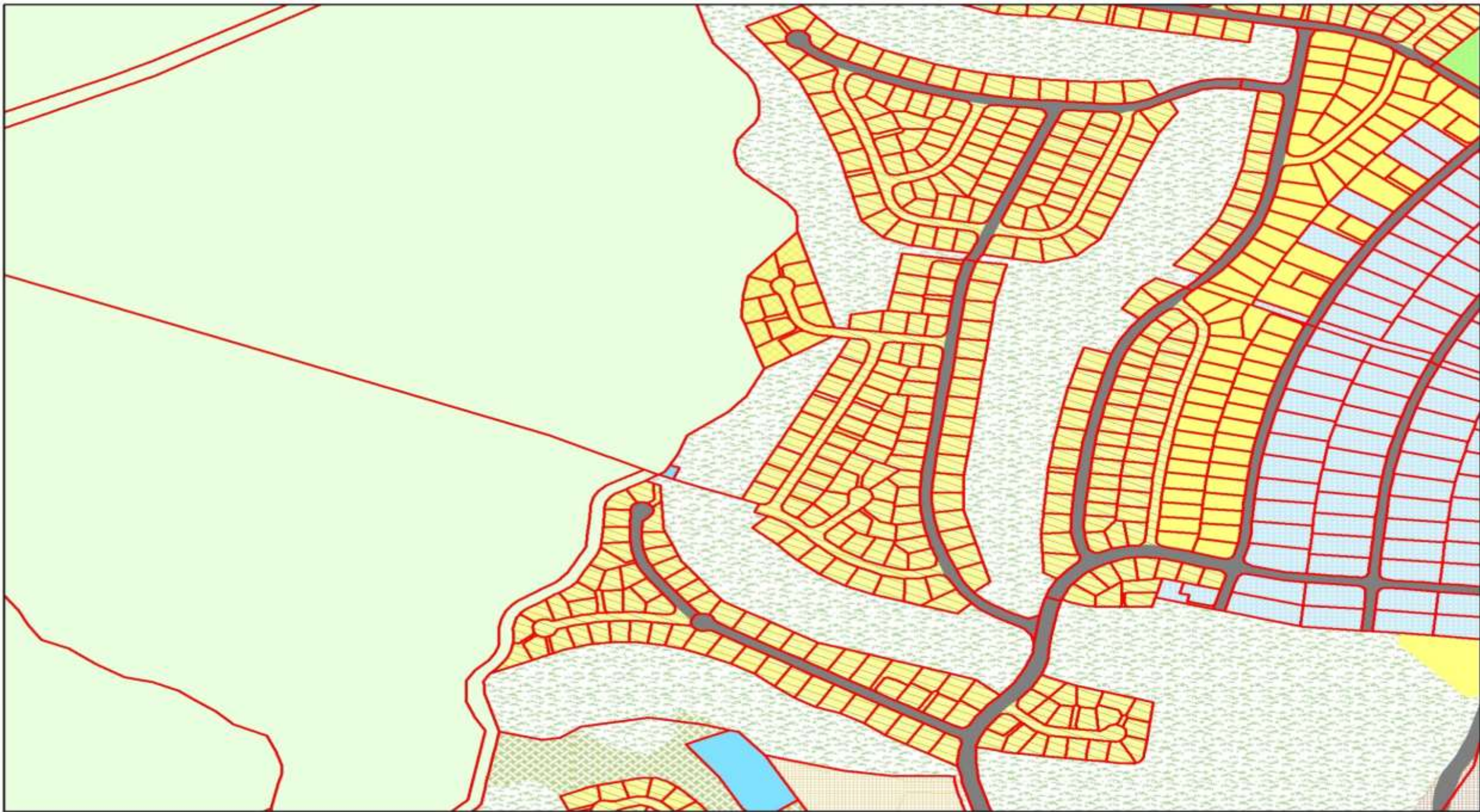




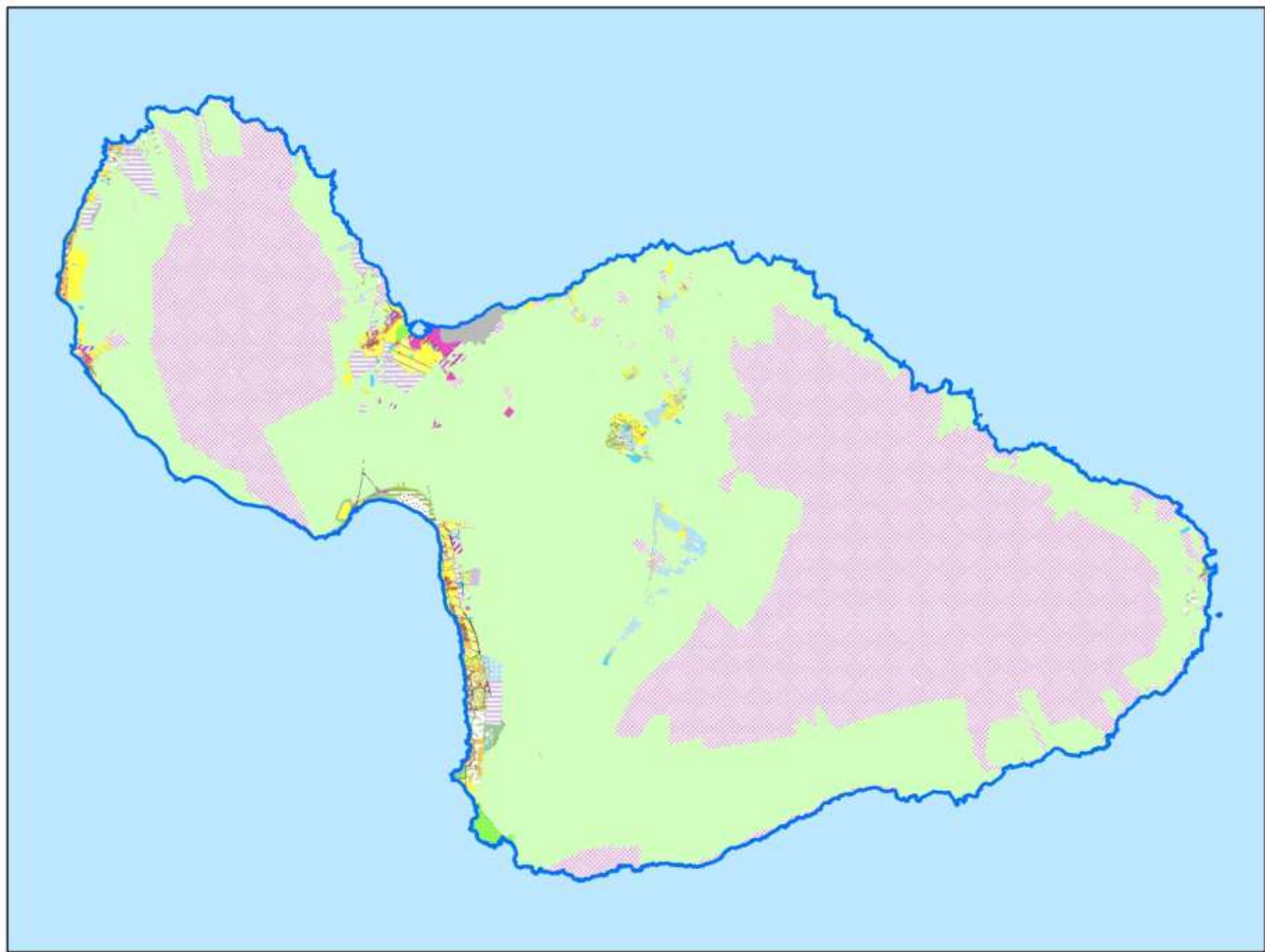














Mahalo

Dead Sea Scrolls Replacement Team

DSSRT@mauicounty.gov

270-6272

DIGITAL ZONING MAPS

Prepared by:
Planning Department
County of Maui

Prepared for:
Maui Planning Commission
October 19, 2017

Background on Zoning Maps

- ▶ Planning Department has undertaken a project to replace the County's official paper zoning maps with digital or electronic versions, available on the Internet.
- ▶ The existing paper maps are, in some cases, old, worn, and outdated - hence the nickname "Dead Sea Scrolls."
- ▶ These paper maps also contain inadvertent errors.
- ▶ The purpose of the bills before you are to recognize up-to-date Geographical Information System-based maps to be the official zoning maps for the County.
- ▶ This will increase zoning maps' accuracy, clarity, and ease of use.
- ▶ In the initial phases of the project, a digital zoning map will be made available only for the Island of Maui.
- ▶ More detailed background is provided at the end of this presentation, which includes a copy of the presentation made in public-outreach meetings in the spring.

Current Policies on Zoning Maps

- ▶ Section 8-8.3, Maui County Charter:
 - ▶ “The planning director shall: . . .
(6) Prepare, administer, and enforce zoning ordinances, zoning maps and regulations and any amendments or modifications thereto.”
- ▶ Chapter 19.06, Maui County Code:
 - ▶ Says paper zoning maps shall be kept on file as official maps.
 - ▶ Establishes policies for determining boundaries of zoning districts.

Department's Position

- ▶ Consistent with the Charter's grant of authority to the Planning Director to publish and maintain zoning maps, Chapter 19.06 of the Maui County Code should be amended to recognize a digital map as the official zoning map and to update the standards for determining the boundaries of zoning districts.
- ▶ Enactment of these ordinances would be consistent with a number of General Plan policies, goals, and objectives, including the following components of the Countywide Policy Plan:

“Government services will be transparent, effective, efficient, and responsive to the needs of residents” (page 78).

“Facilitate the community's ability to obtain relevant documentation” (page 79).

“Use advanced technology to improve efficiency” (page 79).

“Expand government online services” (page 80).

Commission's Options

The Commission can choose one of the following options:

1) Recommend that the County Council approve the following bills, as requested by the Planning Director:

- ▶ A bill to adopt a digital zoning map for Maui, titled “A BILL FOR AN ORDINANCE ADOPTING A DIGITAL ZONING MAP AS THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI.” (This adopts the “as-is” map, reflecting current zoning.)
- ▶ A bill to establish updated County policy on determining boundaries for zoning districts and to comprehensively update the digital zoning map for the Island of Maui, titled “A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY CODE, RELATING TO ZONING DISTRICTS AND MAPS.” (This adopts the “corrected” map, including corrections of zoning errors.)

2) Recommend that the Council pass the bills with amendments.

3) Vote to defer action in order to gather additional information.

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Mahalo.

ORDINANCE NO. _____

BILL NO. _____ (2017)

A BILL FOR AN ORDINANCE ADOPTING A DIGITAL ZONING MAP AS
THE OFFICIAL ZONING MAP FOR THE ISLAND OF MAUI

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose. The purpose of this ordinance is to adopt a digital zoning map as the official zoning map for the Island of Maui. The map shall provide a graphical portrayal of zoning designations established by ordinance.

SECTION 2. Section 19.06.020, Maui County Code, is amended to read as follows:

"19.06.020 Maps. [A.] Pursuant to section 8-8.3(6) of the Charter of the County of Maui, the planning director shall prepare and administer the County's zoning maps. For the Island of Maui, one zoning map shall be prepared and administered in a digital format, such as within a geographic information system, made available for public use on the County website, and administered to reflect current zoning designations upon their adoption by ordinance. The areas of the [County] Islands of Kahoolawe, Lanai, and Molokai shown on original maps [identified and] entitled "Land Zoning Maps," on file in the office of the County clerk with certified copies [being placed on file] retained in the planning department, and the digital zoning map for the Island of Maui, together with all explanatory materials hereon, [shall be deemed to accompany, and are made a part of, the ordinance entitled in this title, and may be amended in the same manner as any] are part of this title.

[B. Notwithstanding any provision contained in this article as to those areas of the County not shown on the maps, the provisions of article I of this title shall govern and have precedence over this article.]"

EXHIBIT "I"

SECTION 3. The first iteration of the digital zoning map for the Island of Maui adopted pursuant to Chapter 19.06.020, Maui County Code, shall be known as Maui Island Land Zoning Map 1 and shall have the same effective date as this ordinance. Whenever a zoning designation is changed pursuant to Sections 19.06.020 and 19.06.040, Maui County Code, the County Clerk shall assign a new number to the digital zoning map for the Island of Maui in chronological order.

SECTION 4. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 5. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

Deputy of the Corporation Counsel
County of Maui

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EXHIBIT "1"

ORDINANCE NO. _____

BILL NO. _____ (2017)

A BILL FOR AN ORDINANCE AMENDING TITLE 19, MAUI COUNTY
CODE, RELATING TO ZONING DISTRICTS AND MAPS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 19.06.010, Maui County Code, is amended
to read as follows:

"19.06.010 Districts designated. The County shall be divided
into the following [use zone] zoning districts:

- A. Open space districts - chapter 19.07:
 - 1. OS-1, and
 - 2. OS-2;
- B. [Multiple-family districts] Residential districts - chapter 19.08:
 - 1. R-1, six thousand square feet;
 - 2. R-2, seven thousand five hundred square feet; and
 - 3. R-3, ten thousand square feet;
- C. R-0 zero-lot line residential district - chapter 19.09;
- D. Two family [duplex] [duplex] [duplex] districts - chapter 19.10:
 - 1. D-1, and
 - 2. D-2;
- E. Apartment districts - chapter 19.12:
 - 1. A-1, and
 - 2. A-2;
- F. Hotel districts - chapter 19.14:
 - 1. H-1,
 - 2. H-1M, and
 - 3. H-2 and Hotel;
- G. Business districts:
 - 1. SBR service business residential - chapter 19.11;
 - 2. B-CT country town business district - chapter 19.15;
 - 3. B-1 neighborhood business district - chapter 19.16;
 - 4. B-2 community business district - chapter 19.18;
 - 5. B-3 central business district - chapter 19.20; and
 - 6. B-R resort commercial district - chapter 19.22;
- H. B-CU business country town district,
- I. SBR service business residential district;
- J. H, Industrial districts:

EXHIBIT "C"

1. M-1 light industrial district - chapter 19.24,
2. M-2 heavy industrial district;] chapter 19.26, and
3. M-3 restricted industrial district - chapter 19.28;
- [K.] L. Park districts;] - chapter 19.27A:
 1. PK-1 neighborhood park district, and
 2. [PK-2 community park district,] GC;
 - [3. PK-3 regional park district,
 4. PK-4 golf course park district;]
- [F.] J. Airport district - chapter 19.28;
- [G.] K. Agricultural district - chapter 19.30A;
- [H. Off street parking and loading
- I. Planned development
- J. Civic improvement district;]
- L. Rural districts - chapter 19.29:
 1. RU-0.5 [rural district],
 2. RU-1 [rural district],
 3. RU-2,
 4. RU-5,
 5. RU-10, and
 6. County rural;
- [M. Open space districts:
 1. OS-1 passive open space district,
 2. OS-2 active open space district.]
- R. Public/quasi-public districts - chapter 19.31:
 1. P-1, and
 2. P-2;
- S. Kilauea Research and Technology Park district - chapter 19.33;
- T. Maui Research & Technology Park district - chapter 19.38;
- U. Napili Bay civic improvement district - chapter 19.60;
- V. Urban reserve district - chapter 19.69;
- W. Interim; - article I of this title;
- X. Maui County Historic Districts - article III of this title; and
- Y. Project districts - article IV of this title."

SECTION 2. Section 19.06.030, Maui County Code, is amended to read as follows:

"19.06.030 - Interpretation of district boundaries. [Where uncertainty exists with] With respect to the boundaries of [any] zoning districts [as shown on the zoning map,] in areas subject to the County's zoning authority, the following [rules] standards shall apply[;], unless otherwise specified by ordinance:

A. [Where Boundaries Approximately Follow Streets, Alleys or Highways. Where district boundaries are indicated as approximately following the centerline or street line of streets, the centerline or alley line of alleys, or the centerline or right-of-way line of highways, such lines shall be construed to be such district boundaries.] The County's

geographic information system parcel layer, if available, shall be used to represent lot lines and boundaries of zoning districts.

B. [Where Boundaries Parallel Street Lines, Alley Lines or Highway Right-of-Way Lines. Where district boundaries are so indicated that they are approximately parallel to the centerlines or street lines of streets, the centerlines or alley lines of alleys, or the centerlines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given, such dimension shall be determined by the use of the scale shown on the zoning maps.]

The zoning designation for public and private streets shall be the same as for adjacent lots. If a street adjoins two or more zoning districts, the boundaries of each zoning district shall extend to the street's centerline.

C. [Where Boundaries Approximately Follow Lot Lines] Where [district] the boundary of a zoning district is indicated as approximately following lot lines, such lot lines shall be construed to be the boundaries.] a lot line, the boundary line shall be the same as the lot line.

D. [Where the Boundary Follows a Railroad Line.] Where the boundary of a zoning district follows a railroad line, [such] line boundary shall be [deemed to be] located midway between the main tracks of the railroad line.

E. [Where the Boundary Follows a Body of Water.] Where the boundary of a zoning district follows a stream, watercourse, or other body of water, ~~excluding the Pacific Ocean~~, the boundary line shall be [construed to be] the centerline of [such stream, watercourse, or] the body of water. [If] Where the boundary of a zoning district follows the Pacific Ocean, [If] the boundary line shall be [construed to be] along the high water mark.

F. [Submerged Areas Not Included in District. All areas within the corporate limits of the County which are under water and are not shown as included within any district shall be subject to all of the regulations of the district which immediately adjoins the water areas. If the water area] The zoning designation for any area under water shall be the same as the immediately adjoining zoning designation. If an area under water adjoins two or more zoning districts, the boundaries of each district shall [be construed to] extend [into the water area] in a straight line until they meet the [other] boundary of another district.

G. District Regulations Apply to Schools, Parks, etc. Any area shown on the zoning maps as park, playground, school, cemetery, water, street or right-of-way shall be subject to the zoning regulations of the district in which they are located. In case of doubt, the zoning regulations of the most restricted adjoining district shall govern.

H. Vacation of Public Ways. Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation, and all areas

included in the vacation shall then and hereafter be subject to all regulations of the extended districts.]”

SECTION 3. The heading to Chapter 19.10, Maui County Code, is amended to read as follows:

“TWO-FAMILY (DUPEX) [DISTRICT] DISTRICTS”

SECTION 4. The heading to Chapter 19.15, Maui County Code, is amended to read as follows:

“B-CT COUNTRY TOWN BUSINESS (DISTRICTS) DISTRICT”

SECTION 5. Pursuant to this ordinance and Section 8-8.3(6) of the Revised Charter of the County of Maui (1983), as amended, a new digital zoning map for the island of Maui is hereby adopted and shall be known as Maui Island Land Zoning Map 2, which shall have the same effective date as this ordinance. Notwithstanding the enactment of this ordinance and the adoption of Maui Island Land Zoning Map 2, zoning conditions previously enacted by ordinance shall remain in effect, unless repealed by ordinance or operation of law.

SECTION 6. Material to be repealed is bracketed. New material is underscored. In printing the bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 7. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

Deputy Clerk of the Corporation Counsel
County of Maui

8 ALL.APD.19.06 19.06 Districts.doc

EXHIBIT “2”